

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 2, 1998

DIVISION ONE

B111463 People (Certified for Partial Publication)
v.
Clayton

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Masterson, J.

DIVISION TWO

B112373 People (Not for Publication)
v.
Evans

The Court:

The judgment is affirmed.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

DIVISION TWO (Continued)

B114324 Accountants on Call (Not for Publication)

v.
Accustaff, Inc., et al.

The order granting the preliminary injunction is reversed insofar as it provides for paragraph 4 of part 1 of the injunction, and insofar as it imposes part 1 of the injunction on defendant Accustaff, Incorporated. In all other respects, the order is affirmed. Plaintiff's motion for sanctions is denied. The parties shall bear their own costs.

Fukuto, J.

We concur: Boren, P.J.
 Zebrowski, J.

B115156 People (Not for Publication)

v.
Richard C.

The judgment is affirmed.

Fukuto, Acting P.J.

We concur: Nott, J.
 Zebrowski, J.

B108002 Bresnahan (Not for Publication)

v.
Chrysler Corporation, et al.

The judgment and the order denying motion for judgment notwithstanding the verdict are affirmed.

Fukuto, Acting P.J.

We concur: Nott, J.
 Zebrowski, J.

July 2, 1998-Continued

DIVISION TWO (Continued)

B116344 People (Not for Publication)
v.
Lewis

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B110724 People (Not for Publication)
v.
Williams

The judgment is modified to reflect a principal term of three years with respect to count 4, sexual battery, and a subordinate term of eight months with respect to count 3, false imprisonment, a change which has no effect on appellant's aggregate sentence. As so modified, the judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment in accordance with the modifications made here and to forward that document to the appropriate correctional authorities.

Fukuto, Acting P.J.

We concur: Nott, J.
Zebrowski, J.

July 2, 1998-Continued

DIVISION TWO (Continued)

[illegible]

The judgment is modified to impose the stayed five-year term on appellant's prior first degree burglary conviction in case No. C74158, as required by section 667, subdivision (a)(1), resulting in a total aggregate sentence of thirty years to life in state prison. As so modified, the judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment incorporating this modification and to forward that document to the appropriate correctional authorities.

Fukuto, J.

We concur: Boren, P.J.
Zebrowski, J.

DIVISION THREE

B099861 Victor (Not for Publication)
v.
Anada & Krause, et al.
Sassoon Sales

The order appealed from is reversed. Cost on appeal to Sales.

Croskey, Acting P.J.

We concur: Kitching, J.
Goodman, J. (Assigned)

DIVISION THREE (Continued)

B104017 Athanasopoulos (Not for Publication)
B112162 v.
 Palatos

The order denying defendants' first motion to vacate and the order placing off calendar the second motion to vacate are reversed. The cases are remanded and the trial court is directed to set aside the defaults and default judgment and issue a new and different order which permits defendants to file an answer to the complaint within a reasonable amount of time. Defendants shall recover their costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B116742 Kenneth Scidmore (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

The alternative writ heretofore issued is dissolved. Let a peremptory writ of mandate issue directing the trial court to vacate its order denying petitioner's motion under section 995 and to enter a new and different order granting the same and setting aside the information and dismissing the charges against petitioner. Upon the issuance of a remittitur by this court, the stay of trial court proceedings heretofore issued shall be dissolved.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B117734 Alexandra Cordoba (Not for Publication)
 v.
 Albert Ramirez

The order denying defendant's motion to vacate the judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Goodman, J. (Assigned)

B112990 People (Not for Publication)
 v.
 Jerry Johnson

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Goodman, J. (Assigned)

B113512 People (Not for Publication)
 v.
 Grigor Tatoian

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Goodman, J. (Assigned)

DIVISION FOUR

[illegible]

The judgment of conviction is affirmed and the matter is remanded for the trial court to correct the abstract of judgment to reflect the sentence as orally pronounced.

Hastings, J.

We concur: Epstein, Acting P.J.
Cooper (F.M.), J. (Assigned)

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Cooper (F.M.), J. (Assigned)

B108900 Robinson (Not for Publication)
v.
Greenberg

The judgment is reversed. The trial court is directed to grant respondent's alternative motion for summary adjudication with respect to the grounds that the will was improperly executed and that it is void under section 21350. The case is remanded for further proceedings to determine whether the 1994 will was procured under undue influence. Respondent's motion for sanctions is denied. Each side is to bear its own costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Cooper (F.M.), J. (Assigned)

July 2, 1998-Continued

DIVISION SIX

B112587 25 E. De La Guerra Partners
 v.
 Breitweiser

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

DIVISION SEVEN

B103203 People v. Gonzales
B116738 In re Gonzales on Habeas Corpus

Filed order denying petition for rehearing.